

ASSIGNED

Nº 56823

AMENDED

**APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

Date of filing in State Engineer's Office OCT 10 1991
Returned to applicant for correction OCT 30 1991
Corrected application filed DEC 27 1991
Map filed DEC 27 1991

The applicant The Atchison, Topeka and Santa Fe Railway Company
250 S. Rock Blvd., Suite 110 of Reno
Street and No. or P.O. Box No. City or Town
Nevada 89502, hereby make application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) August 21, 1968, Delaware

1. The source of the proposed appropriation is Underground
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 1 cfs second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet.

3. The water to be used for Mining
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated.

(b) Stockwater, state number and kinds of animals to be watered.

(c) Other use (describe fully under "No. 12. Remarks"). Mining

(d) Power:

(1) Horsepower developed.

(2) Point of return of water to stream.

5. The water is to be diverted from its source at the following point in the NW¼ NW¼ Section 17, T.26N.,
Describe as being within a 40-acre subdivision of public
R.31E., M.D.B.&M., or at a point from which the NW corner of said Section 17 bears
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
N. 44° 16' 25" W. 1547.1 feet.

6. Place of use NW¼ NW¼ Section 17, T.26N., R.31E., M.D.B.&M.
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about January 1 and end about December 31, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled well, pump.
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$30,000.00

10. Estimated time required to construct works 1 year
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 2 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Sand and gravel operation, consumptive use not to exceed 40,000,000 gallons
per year

By s/Ernest E. Muller, Sr.
Ernest E. Muller, Sr., SWRS 702
750 W. Pueblo St.
Reno, NV., 89509

Compared bc/bc jr/bk

Protested _____

APPROVAL

OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins or before the Proof of Completion of Work is filed.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, but not to exceed 2.0 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before October 5, 1996

Proof of completion of work shall be filed on or before November 5, 1996

Application of water to beneficial use shall be made on or before October 5, 1998

Proof of the application of water to beneficial use shall be filed on or before November 5, 1998

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed DEC 05 1996

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, P.E.
 State Engineer of Nevada, have hereunto set my hand and the seal of my
 office, this 5th day of October

A.D. 19 95

[Signature]
 State Engineer

(PERMIT TERMS CONTINUED)

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

